



Week 4: Student and Personnel Management

Overview

In this week's assignment, you will complete your work with Joseph. Your final step will be to make suggestions about how management policies and procedures for special education students at your school can be improved.

To complete the assignment, you must familiarize yourself with both statewide special education policies and those in place at your district and school. The assignment also requires you to use knowledge gained from your lectures and readings and from communication with leaders at your school, including your principal, special education coordinator, and classroom teachers. You are expected to cite the relevant law and/or policy that you used to formulate your answers.

Rubric

Use this rubric to guide your work.

Week 4: Student and Personnel Management	Accomplished	Proficient	Needs Improvement	Unacceptable
Investigating Complaints	Cites course material in thoroughly explaining procedures for investigating complaints against school personnel, including proper documentation techniques (3 points)	Explains some actions that should be taken when investigating complaints against a school employee (2 point)	Provides a broad response that lacks detail (1 point)	Does not describe processes for effective investigation of school personnel (0 points)
Manifest Hearing	Cites course material in explaining manifest determination hearings and outlines in detail procedures for disciplining special education students (3 points)	Explains in general terms the possible outcomes of a manifest determination hearing (2 point)	Provides a broad response that lacks detail (1 point)	Does not explain possible outcomes of a manifest determination hearing (0 points)
Appeals	Cites course material in explaining the appeals process regarding student discipline (3 points)	Demonstrates general understanding of the appeals process related to student discipline cases (2 point)	Provides a broad response that lacks detail (1 point)	Does not demonstrate understanding of the disciplinary appeals process (0 points)
In-Depth Analysis	Uses information from course materials and personal interviews to provide in-depth analysis of school or district special education policies and make suggestions for improvement (4 points)	Provides general suggestions for how to improve school or district special education policies (3 points)	Provides a broad response that lacks detail (1 points)	Does not provide suggestions for improvement of school or district special education policies (0 points)

Mechanics	No or few errors in grammar, spelling, or punctuation. (1 point)			Responses lack clarity and depth and/or have multiple errors in grammar, spelling, or punctuation. (0 points)
------------------	--	--	--	---

Week 4: Student and Personnel Management

Directions:

Refer to your lectures and readings from throughout the course to answer the following questions related to investigating complaints against school employees, disciplining a special education student, personnel documentation, and school liability.

One morning, you hear a commotion coming from Joseph's classroom. He is shouting and swearing at his teacher, and you are concerned that he may become violent. You call in campus security to restrain him. You call Joseph's mother to your office following the incident, and she claims that the teacher has been antagonizing Joseph. She says that the teacher is resentful of the accommodations that have to be made for Joseph and has ignored his IEP. She also claims that the teacher is trying to embarrass Joseph in front of his classmates, which was the cause of his disruptive behavior in class that day.

Workspace

How will you go about investigating the parent's claim that Joseph is being singled out and discriminated against in class in a way that will ensure that you are not indifferent to the claim?

First thing that I would do would be to listen to complaint in entirety from mother. In other words have a conference with the mother. It is important to be good listener and take copious notes about her complaint related to her son's education and accommodations. I would probe details, examples, and descriptions about the communication antecedents to her feelings about the class. Close meeting with recap to ensure I have all concerns and influences on this situation. Let mother know I would be reviewing his IEP goes and a BIP that went with this and that I, the principal, would investigate further. I, the principal, would also set up a follow up conference with mother.

From there, I would review the IEP goals and that I was really aware of BIP and other modifications and accommodations. Then I would schedule with teacher and talk with teacher not just about incident, but what teacher has been doing concerning the students accommodations. I would insure the teacher had an operational understanding how that worked in her classroom. Ensure she was familiar with Joseph's IEP and BIP accommodations and modifications. Important that she can tell me she knew accommodations in detail and structural accommodations and receives an understanding on how she was modifying for him. I would ensure the teacher knew BIP and goals for better understanding of incident.

Situation like this with an accusation and only the teacher in the classroom, I would have to delve deeper. Teacher would like for principal to always believe them, but unfortunately that is not enough evidence. It is often a good idea to do member checking (as my principal like to call). In "member checking" principal will interview several students in the room. The principal may not even discuss the incident but at get a general "feel" for classroom dynamics. Principal will just go to the classroom to pull those students. Depending on what those students say will decide how the conversation runs. Principal will check on the learning happening in the classroom, get knowledge on how the students like the assignments. Principal will get a feel for productivity conditions of learning environment. Do the students feel teacher treats students fairly? Principal may bring up incident that is in question and get the students perspective. Sometimes the students feel the teacher acted harshly or that the teacher was right on target. Principal can often see if there is a "fair" environment. Sometimes kids will say the student gets in trouble frequently but that he deserves the disciplined actions being taken in the room. Do kids feel like they understand teacher's expectations? Could get around to what happened today in class. Often children will tell because they are lulled in because not about them but about class.

It is important to then interview the teacher get teacher's side on what happened. Insure the teacher understood the BIP that was in place. Ask teacher if she took first step in behavior plan when he started swearing. If there are reports on bullying from others, did teacher not take care of those behaviors investigated? Make sure to be really clear about mother's complaints. Teacher needs to understand that she should have followed BIP. If I felt fairly certain after investigation that the teacher actually was either inadvertent to what students were acting and those were actions that contributed. That would be a personnel action, and document, not shared with parent. (Cont'd on next question)

If during your investigation you discover that Joseph's mother's claims do have validity, how will you go about documenting this teacher's behavior? What is your district policy regarding actions that can be taken in this case?

If I felt fairly certain after investigation that the teacher actually was either inadvertent to what students were acting and those were actions that contributed. That would be a personnel action, and document, not shared with parent. Personnel matters are not shared with parents. Within 10 days of incident being reported and investigation finding being done, matter must be shared with teacher. Then, teacher signs investigation/report signed then filed with personnel office. Principal would document domain based on SDAS/PDAS that incident fell under. The principal would write a memo to teacher, call it "cumulative data documentation" and write domain and what occurred. Highland Park has specific forms. For this incident we would, for example, use domain 4: teacher insures students are set up for success in class. This would enable the teacher and principal to create a development plan so she can learn to effectively implement discipline management procedures approved by campus and determined by ARD. Principal would write up situation and her findings after investigation that these factors resulted from this discipline situation.

Who will participate in the meeting in which potential punishments are discussed? How will Joseph's ARD committee determine the appropriate punishment for him regarding his classroom outburst?

It is important that Joseph's behavior be discussed in with the ARD committee to ensure appropriate steps will be understood for a possible future occurrence. We must work to set up an environment of success for Joseph while maintaining least restrictive environment.

In his BIP punishments would be outlined in detail. If they were not, then the ARD committee would need to decide and update his BIP with appropriate information.

Assuming Joseph's mother wishes to challenge the disciplinary action suggested for him, what recourse does she have? According to Texas law and school district policy, what due process rights does Joseph have in this situation?

IDEA requires each state to have due process procedures in place (Lombardi and Ludlow 2004),

District actions: Parent still has right to grieve the teacher. Principal may document, but parent could file grievance, policies set up by school board, and file complaint form. Complaint is filed with district. The parent would ask for hearing-due process could start. The least case scenario principal would document findings. Document if teacher allowed those conditions to be created for student and behavioral occurrence.

Even though principal document teacher at the school, parent still has right under district board policy to ask for grievance. Parent could ask for teacher fired, principal might think not consider offence in line with termination. Parent may see it all the way up. Three levels in our district for grievances. Level/tier 1 is with principal. Principal hears hear complaint. Principal may take personnel action about that work with teacher so she understands. Principal may suggest more effective in distinguishing actions precipitating incidents, more organized classroom, professional development, might put teacher on growth plan but parent would not know those specifics

Parent might still want more done than the level 1. The parent would then go through level/tier 2 which is a hearing officer in district who hears mother's complaints. "The hearing officer is charged with determining whether a hearing is needed, conducting the hearing itself, and rendering a decision in the case (Lombardi and Ludlow 2004)." The hearing officer does need to be an attorney. She will hear from the parents how principal handled case and mothers complaints. Hearing officer could uphold principal decisions, or uphold parent. It is important to understand what the parent is wanting. Many questions arise that would cause the case to go to a level/tier 3:

Does the parent want the teacher fired? If so, then would go to the next level. Does the parent want the student moved out of the room? What if there are no other classrooms available? Maybe we could move child to different school but what if there isn't another school with the programs Joseph requires? Could be that the student needs a specialized class that is only offered at home campus.

"When the hearing officer hands down a decision, the school and parents must abide by that decision unless either party decides to contest it (Lombardi and Ludlow 2004)."

If parents still insist, that may go on to the next level which is 3 a board hearing in private against teacher. The board has the final say at district level.

"Because IDEA is a federal statute, any party not satisfies with the decision of the hearing officer may request review by a federal district court (Turnbull and Turnbull 2000).

If they don't like district decision, they could go to TEA at the state level.

Based on your lectures, readings, and communication with educators at your school, you now have an opportunity to recommend ways in which special education evaluation, accommodation, and communication can be improved. Use this final section to outline ways in which you feel the process can be improved.

Is the IEP development process in place at your school or district effective? If not, what suggestions do you have for how any of the components of this scenario can be improved?

Highland Park ISD has a fantastic special education department. IEP development is based on recommendations for the special education department. That department has licensed school psychologists who manage cases. They are involved with all the special education students. They give guidance, manage cases, and help with requirements for the student's individual needs. For each student adjustments are made that are tailor made for each student. Our district hires consultants especially in each eligibility for our students on the autism spectrum. This specific teacher in this scenario could receive direction and personal professional development to help ensure their understanding of the student's needs, modifications, and accommodations.

The only improvement I could find with the process for IEP would be in professional development of teachers. Even there, though, our district really tries to accommodate teachers. But, if I had to choose an area that needed improvement that is what I would suggest. Teachers can always learn more on identifying students who need testing and which students need intervention strategies.

Lombardi, T. P., & Ludlow, B. L. (2004). A short guide to special education due process. *Phi Delta Kappa Fastbacks*, 523, 6-48.

Turnbull, H.R. III, and Turnbull, A.P. (2000), Free appropriate public education: The law and children with disabilities. vol 6.